UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

*Official Records*

SPECIAL POLITICAL COMMITTEE
26th meeting
held on
Thursday, 21 November 1991
at 3 p.m.
New York

# SUMMARY RECORD OF THE 26th MEETING

Chairman: Mr. PIBULSONGGRAM (Thailand)

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AGENDA ITEM 73: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

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Distr. GENERAL
A/SPC/46/SR.26
4 December 1991
ENGLISH
ORIGINAL: FRENCH

The meeting was called to order at 3.25 p.m.

AGENDA ITEM 74: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/SPC/46/L.9, A/SPC/46/L.10/Add.1)

1. The CHAIRMAN called the attention of the Committee to draft resolution A/SPC/46/L.9, whose financial implications were analysed in document A/SPC/46/L.10/Add.1.

2. Draft resolution A/SPC/46/L.9 was adopted.

3. The CHAIRMAN announced that after informal consultations it had been decided provisionally that the Special Committee on Peace-keeping Operations would hold the series of meetings called for in draft resolution A/SPC/46/L.9 from 27 April to 29 May 1992, but that the Committee could also meet as required, as provided in paragraph 27 of the resolution.

AGENDA ITEM 73: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (A/46/65, 282, 440, 441, 442, 443, 444, 445, 521, 522)

General debate

4. The CHAIRMAN called attention to the various letters to the Secretary-General relating to agenda item 73 (A/46/116, A/46/284, A/46/475, A/46/486, A/46/488).

5. Mr. KALPAGE (Sri Lanka) (Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories) introduced the twenty-third report of the Special Committee (A/46/522), which covered the period from 1 September 1990 to 22 August 1991. In carrying out its mandate, the Special Committee had benefited from the cooperation of the Governments of Egypt, Jordan and the Syrian Arab Republic and of Palestinian representatives. As in the past, however, the Government of Israel had refused to authorize Committee members to visit the occupied territories in order to inform themselves directly.

6. The report concerned the general situation in the territories as it affected the human rights of the Arab population, Israeli practices, the various restrictions limiting the enjoyment of fundamental rights and freedoms, the administration of justice, the treatment of detainees, the activities of Israeli settlers affecting the Arab civilian population, the annexation of land and the establishment of new settlements. It also outlined the situation in the occupied Syrian Arab Golan.

(Mr. Kalpage, Sri Lanka)

7. The situation in the occupied territories had deteriorated to such an extent that the Arab population was reaching a state of mere survival. The occupation in itself constituted a violation of the civilians' civil rights. He cited a series of harsh measures taken by Israel and recalled the Special Committee's main conclusions, which were that Israel should fully apply the Fourth Geneva Convention, respect the privileges and immunities of UNRWA, and fully comply with all pertinent United Nations resolutions, that conditions of confidence and security should be created conducive to promoting respect for human rights, and that Member States should support the organizations assisting the people of the territories. The Special Committee hoped that the Madrid Conference on the Middle East would pave the way for a just and lasting settlement of the Arab-Israeli conflict; only through such a settlement would the fundamental rights of the Arab population of the occupied territories be restored and guaranteed.

8. Mr. MANSOUR (Palestine) cited the report of the Special Committee (A/46/522) to illustrate the atrocities committed by Israel, the occupying Power, in the occupied territories, in flagrant disregard of the Fourth Geneva Convention. Recalling that the General Assembly had repeatedly deplored the continued refusal by Israel to allow the Special Committee access to occupied Palestinian territory or to permit persons from occupied Palestine to come and appear as witnesses before the Special Committee, he said that was proof that the conditions under which the Palestinian people were living were so abhorrent that Israel could not afford more neutral eyewitnesses to its crimes. In keeping with its policy of harassment, the police had raided the Shariah Court of Jerusalem on 18 November 1991 and confiscated papers and files, including historical records relating to Jerusalem. He asked the Special Political Committee and the international community to condemn the operation and to see to it that the documents seized were returned.

9. In addition to the practices he had described, Israel was continuing to expropriate Palestinian land (70 per cent of Palestinian territory) and to steal Palestinian national resources, especially water, creating a "state of mere survival" for the people of occupied Palestine. It was the duty of the international community to put an end to those crimes. It should be recalled in that connection that Israel continued to reject the de jure applicability of the Fourth Geneva Convention while claiming to act in de facto accordance with it.

10. Despite a massive campaign to destroy the political, economic and social infrastructure of Palestine and an attempt to break the resistance of Palestinians in the occupied territories, the intifadah, which would soon enter its fifth year, was continuing, with the dual goal of ending the occupation and creating a sovereign State of Palestine in the national territory.

(Mr. Mansour, Palestine)

11. He recalled the provisions of resolution 681 (1990), in which the Council requested the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation and to keep it regularly informed, and stressed the importance of that mandate for the protection of the Palestinian people. That protection was made more necessary by the accelerated settlement policy in occupied Palestinian territory, including Jerusalem. The international community was required to uphold its resolutions in that connection in order to force Israel to stop its illegal settlement activities immediately, particularly since the policy was incompatible with the current peace process.

12. Mr. SALAH (Jordan) said that Israel's inhumane practices in the occupied territories were only one aspect of the Palestinian question. It was therefore not possible to consider them outside the general framework of the question, which was at the heart of the Arab-Israeli conflict. The solution would be to end the occupation, including that of the Syrian Arab Golan, and to let the Palestinian people exercise their right to self-determination. In that connection, the Arab countries, including the Palestinians, had expressed their longing for peace and worked for it for many long years, but Israel's intransigence and obstinacy in perpetuating its occupation had always been a major obstacle to peace. The Madrid Conference gave him hope that Israel would demonstrate sincere peaceful intentions that would be reflected in the area by actions likely to promote the success of the peace process.

13. It was clear from the report of the Special Committee that Israel was systematically violating all the fundamental rights of the Palestinians in the occupied territories and of the Syrians in the Syrian Arab Golan, in total disdain for the will of the international community and the relevant international instruments. Israel was thus seeking to break the spirit of resistance among the Arab population. In that connection, although it was true that the media coverage of the intifadah had enabled the international community to grasp the real situation in the occupied territories, the condemnation of Israeli practices by all the countries of the world had nevertheless not been enough to persuade Israel to change its policy. Only recently, the Israeli police had raided the premises of the Shariah Court of Jerusalem and confiscated a large number of documents. In that connection, Jordan appealed to the international community to see that those documents, which included historic texts establishing the rights of Arabs and Muslims to Jerusalem, were returned.

14. According to the Fourth Geneva Convention, the occupation, which was in itself a violation of human rights, could only be temporary. It should be recalled in that connection that, despite the many Security Council resolutions on the applicability of that Convention to the occupied territories, Israel was still violating its provisions. Thus, Israel had continued its settlement policy even after the opening of the Madrid Conference.

(Mr. Salah, Jordan)

15. He listed the Israeli practices cited in the report of the Special Committee, including collective punishments, the demolition of houses, the closing of schools, arbitrary imprisonment, and torture, to illustrate the need for the international community to act individually and collectively within the United Nations to force Israel to reconsider its policies and practices and bring them to a speedy end. After quoting other examples of the one-sided administration of justice, according to whether Palestinians or Israelis were involved, he said that his country endorsed the report's conclusion which stressed the need to take urgent measures to safeguard the basic rights and freedoms of the Palestinian people and other Arabs in the occupied territories.

16. Mr. VAN SCHAIK (Netherlands), speaking on behalf of the member States of the European Community, said that they continued to be concerned over the treatment of the fundamental rights of the Palestinians in the occupied territories. The Twelve reaffirmed that the Fourth Geneva Convention of 1949 remained fully applicable to those territories, including Jerusalem, as the Security Council itself had stated on many occasions.

17. The building of Israeli settlements in the occupied territories was illegal and an obstacle to peace. The Community once again called on Israel to halt that activity, as a confidence-building measure that would help to advance the negotiating process started at the Madrid Conference. The Twelve reaffirmed that the Charter of the United Nations ruled out the acquisition of territory by force, a principle which the Security Council, in resolution 242 (1967), had made one of the bases for settling the Arab-Israeli conflict.

18. The right of freedom of movement was guaranteed by the International Covenant on Civil and Political Rights and Jews were entitled to exercise it through emigration, but they should not do so at the expense of the rights of the Palestinians in the occupied territories. The European Community regarded as null and void any unilateral decisions by Israel to impose its jurisdiction and administration on the occupied Syrian Golan or to amend the status of Jerusalem, whose holy places should be accessible to all, with safeguards in that respect included in any future agreement on the city.

19. The maintenance of as large an Israeli security force as ever in the occupied territories had been reflected in renewed confrontations. A further alarming development was a spiral of violence, in confrontations between Israeli authorities and UNRWA staff between Palestinians and UNRWA staff, and among the Palestinians themselves.

20. To create a climate of confidence between Israelis and Palestinians, the Israeli Government would also have to repeal the security measures and repressive economic sanctions which it had imposed. The Twelve deplored the maintenance of collective punishments and other unacceptable arbitrary measures, which were completely contrary to the Fourth Geneva Convention, and denounced the continued policy of deportation. Iraqi attacks during the Gulf

(Mr. Van Schaik, Netherlands)

war had, of course, compelled Israel to take security measures in the occupied territories as well, but some of those measures had been retained for too long or replaced by other restrictions, which had aggravated the effects of the crisis on the Palestinian population. The economy and education had both suffered, and the Twelve welcomed the permission given by the Israeli authorities to reopen a number of schools and colleges. The health services should also be allowed to function unimpeded.

21. The European Community had taken various economic measures on behalf of the occupied territories. It had given duty-free access to all industrial products from the occupied territories and preferential duty treatment to some of their agricultural exports; direct aid to the territories in 1992 would be equivalent to $14 million.

22. The results of the Madrid Peace Conference and the first round of bilateral negotiations were encouraging and all parties should be called upon to refrain from any action that could jeopardize the prospects for a just settlement of the Palestinian question.

23. Mr. MUNYAPETA (Rwanda) said that his delegation would have voted for draft resolutions A/SPC/46/L.12 to 22 on agenda item 72 had it not been prevented from so doing by reasons beyond its control.

24. Mr. MARTINEZ CORDOVEZ (Cuba) said that had his delegation been present when the vote was taken on the draft resolutions adopted at the 25th meeting, most of which it had co-sponsored, it would have voted in favour of them.

The meeting rose at 5.10 p.m.

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

*Official Records*

SPECIAL POLITICAL COMMITTEE
27th meeting
held on
Monday, 25 November 1991
at 10 a.m.
New York

# SUMMARY RECORD OF THE 27th MEETING

Chairman: Mr. PIBULSONGGRAM (Thailand)

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AGENDA ITEM 73: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued)

AGENDA ITEM 72: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (continued)

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Distr. GENERAL
A/SPC/46/SR.27
2 December 1991

ORIGINAL: ENGLISH

The meeting was called to order at 10.25 a.m.

AGENDA ITEM 73: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued) (A/46/65, 282, 440-445, 521, 522; A/SPC/46/L.23-L.29)

1. Mr. EL KHATIB (Morocco), speaking on behalf of Algeria, the Libyan Arab Jamahiriya, Mauritania, Morocco and Tunisia, the member States of the Arab Maghreb Union, said that they were seriously concerned over the intransigent Israeli policies outlined in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/46/522), which violated the relevant United Nations resolutions as well as the international human rights instruments and the Geneva Convention relative to the Protection of Civilian Persons in Time of War (the Fourth Geneva Convention). The Israeli Government was deliberately establishing Jewish settlements on confiscated land in the Gaza Strip, Jerusalem and the Golan Heights in order ultimately to alter the demographic composition of the occupied Arab territories. Whereas in April 1991 it had reportedly been allocating one quarter of its Housing Ministry budget to the construction of new settlements, it had recently announced that by 1991 construction in the occupied territories would account for one half of the budget, and that the settlement process was irreversible.

2. The annexation policy was reinforced by a policy of repression that made daily life unlivable for the Arab populations. The freedom of movement of Palestinian citizens in Israel was curtailed, as was freedom of expression throughout the occupied Arab territories, particularly through a ban on the publication of Arab newspapers in the territories and censorship of even the few newspapers allowed to publish in East Jerusalem. Educational institutions remained closed. Thousands of Palestinians, many of them children, had been detained or imprisoned; and the prisoners lived in inhuman conditions, as attested to by the many hunger strikes throughout the year. The occupying Power had continued to divert water from the occupied Arab territories for its own use or that of its settlers, and to restrict the use of water in territories, to the detriment of the health, environment and economy of the Palestinian people.

3. The countries of the Arab Mahgreb Union deplored the situation prevailing in the occupied Arab territories, and would have hoped, at a time when freedom and human rights were gaining greater respect throughout the world, that the Israeli Government would finally recognize the legitimate and inalienable rights of the Palestinian people. A new era in Israeli-Palestinian relations ought to begin in the wake of the Madrid peace conference, favouring dialogue and trust based on a respect for the human rights of the Arab population, and leading eventually to a valid solution. The countries of the Arab Maghreb Union reaffirmed their support for the Palestinian people in its struggle, under the leadership of its legitimate representative, the Palestine

(Mr. El Khatib, Morocco)

Liberation Organization, to regain its dignity and establish its own independent and sovereign State.

4. Mr. AL-RASSI (Saudi Arabia) said that the summary contained in the Special Committee's report (A/46/522) made it apparent that the human rights situation in the occupied territories continued to deteriorate. Moreover, and despite the Madrid peace conference, settlements were still being built in the occupied Arab territories, while in a bid to hamper the peace process, the Israeli Knesset had resolved not to negotiate over the occupied Syrian Golan Heights. The repressive actions and measures taken by the Israeli authorities in the occupied territories, including acts of killing, imprisonment and detention, explusions, demolition of housing ahd closure of schools and universities, would not deter the Palestinian people from demanding their right to self-determination. The Israeli military police had recently stormed the Islamic court building in Jerusalem, confiscating personal files and other documents relating to properties owned by Islamic religious endowments, the aim being to erase the Arab and Islamic character of Jerusalem and continue the Judaization of the city.

5. Document A/46/522 also described the inhumane prison conditions and the worsening medical situation in the occupied territories. His delegation supported the Special Committee's recommendations for urgent action to guarantee the basic human rights of the Palestinian people and implement the Fourth Geneva Convention. His Government supported the right of the Palestinian people to return to its land and determine its own fate, while also endorsing all international efforts designed to achieve a just and permanent settlement of the Palestinian issue. He hoped that all the parties concerned had the will for peace and that the principles of justice, freedom and the right to self-determination would prevail.

6. Mr. KHANI (Syrian Arab Republic) said he was not surprised that Israel had ignored requests to cooperate with the Special Committee, given its continued deliberate and flagrant violation of international law and international conventions, treaties and agreements, and its refusal to implement United Nations resolutions. The Syrian Government's report to the Special Committee (A/46/284) demonstrated Israel's policy of Judaizing and annexing the occupied Syrian Arab Golan through its expansion of existing Israeli settlements. It also documented the confiscation of Syrian-owned territory and other measures which had adversely affected agriculture, industry, education and employment. In addition, the country's heritage had been systematically destroyed and plundered.

7. In response to the resistance of the Syrian people in the occupied Golan, the Israeli authorities had stepped up their repressive activities, some of which were related in document A/46/475, violating human rights and fundamental freedoms in so doing. Israel was challenging international law by refusing to implement United Nations resolutions, just as the imposition of

(Mr. Khani, Syrian Arab Republic)

its own laws and administration in the area was illegal. His Government looked to the international community to exert the utmost pressure to curtail the practices of the Israeli occupying authorities, their violations of human rights and their wrongful trial and imprisonment of Syrian citizens, whose only crime had been to refuse the imposition of Israeli laws.

8. According to the report on Israeli land and water practices and policies in the occupied Palestinian and other Arab territories (A/46/263-E/1991/88), the area of Arab irrigated land had diminished, while economic and living standards continued to deteriorate. Such practices were integral to Israel's settlement policy and instrumental to the imposition of Israeli land control.

9. Due to Israeli settlement policies, the Israeli population in the Golan had increased three times as much as the non-Israeli population between 1983 and 1988. The economic difficulties experienced by the Arab population in the Golan had also been exacerbated as a result of having to share limited agricultural and water resources with Israeli settlers. The sale of apples, the only marketable product grown in the Golan, had been subject to restrictions and competition from Israeli settlers. Moreover, the area of Arab-owned farming land had decreased, particularly since it had been used to accommodate Israeli settlements, factories and research centres. As an overall consequence of such policies, development potential was affected and the level of income from agriculture had dropped.

10. His delegation would have liked to see fuller coverage in the Special Committee's report of Israel's increasing violations of international law and its harsh racist practices aimed at subjugating or evicting the Arab population which had been described in document A/46/284. A further effect of Israel's practices had been to create thousands of refugees and emigrants whom it refused to allow home, in violation of resolution 194 (1948) and Security Council resolution 237 (1967). Moreover, its constant settlement of Soviet Jewish immigrants to Israel in the occupied territories deliberately violated paragraph 49 of the Fourth Geneva Convention. Although the list of inhumane Israeli practices was lengthy, it was to be hoped that the wrongdoings aimed at justifying occupation and annexation would be superseded by a just and comprehensive settlement to the Arab-Israeli conflict, which would liberate the occupied territory and guarantee the national rights of the Palestinian people.

11. Mr. GALAL (Egypt) said it was to be hoped that the item under consideration would not appear on next year's agenda, in view of the Madrid peace conference and the approaching bilateral talks, which heralded a new stage in Middle Eastern history and provided a basis for achieving a just and peaceful solution to the problem. The Special Committee's report illustrated that the circumstances of the Palestinians living under occupation were deteriorating, despite the inescapable obligations of Israel, as the occupying authority, under international law and the Fourth Geneva Convention. He

(Mr. Galal, Egypt)

expressed his delegation's serious concern over Israel's repressive treatment of Palestinian demonstrators and its denial of their right to defend themselves against charges brought, as well as over the mass oppression which assumed various forms. Israel should immediately return the documents recently seized from the Islamic court building in Jerusalem and honour its obligations under the Fourth Geneva Convention, and should reconsider its position of non-cooperation with the Special Committee.

12. The Madrid peace conference was the first step towards a just and lasting solution to the Middle East conflict. All parties should accept that right and justice were the only basis for peace and security. He reiterated the need to build trust between the Palestinian and Israeli peoples as the way forward to dialogue and understanding, thereby ultimately allowing energies to be re-channelled into developing the countries of the region.

13. Mr. JIN Yongjian (China) said that the report of the Special Committee eloquently described the difficult conditions of the Palestinians and other Arabs living in the occupied territories. There had been no improvement in their situation in the past year, and their basic human rights had been repeatedly violated by the Israeli occupying authorities. That was a matter of grave concern to the international community. Moreover, the occupying authorities had recently stepped up their settlement activities, and that action had been universally condemned. On many occasions in the past year, the Security Council had considered the issue of the occupied territories, most recently when it had adopted resolution 694 (1991) dealing with deportation of civilians.

14. A country under foreign occupation was always oppressed politically and exploited economically. No matter how much pressure the international community tried to exert, the protection of the human rights of inhabitants of the occupied territories would depend largely on the good will and cooperation of the occupying Power.

15. China had from the start advocated a reasonable settlement of the Middle East issue on the basis of the relevant United Nations resolutions, especially Security Council resolutions 242 (1967) and 338 (1973). The occupied Arab territories should be returned to the Palestinian and other Arab peoples, the legitimate national rights of the Palestinian people should be restored and the sovereignty and security of all the countries in the region, including Israel, should be respected and guaranteed. Of late, various parties involved had entered into negotiations to settle the issue fairly, and his Government supported those endeavours. It hoped that the parties concerned would seize the opportunity and adopt a practical and flexible attitude that would allow the negotiations to achieve positive results.

AGENDA ITEM 72: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (continued)

16. Mr. SIKKANDER (Sri Lanka) and Mr. AN Myong Hun (Democratic People's Republic of Korea) said that, had they been present at the Committee's 25th meeting, they would have voted in favour of draft resolutions A/SPC/46/L.12 to L.22 under agenda item 72.

The meeting rose at 11.20 a.m.

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

*Official Records*

SPECIAL POLITICAL COMMITTEE
28th meeting
held on
Tuesday, 26 November 1991
at 3 p.m.
New York

# SUMMARY RECORD OF THE 28th MEETING

Chairman: Mr. PIBULSONGGRAM (Thailand)

CONTENTS

AGENDA ITEM 73: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued)

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A/SPC/46/SR.28
6 December 1991
ENGLISH
ORIGINAL: FRENCH

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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 73: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued) (A/46/65, A/46/282, A/46/440-445, A/46/521 and 522; A/SPC/46/L.23-29)

1. Mr. FAZL-I-MAHMOOD (Pakistan) said that, on reading the three reports submitted by the Special Committee, he noted with deep concern that the situation of the Palestinians and Arabs in the Palestinian and Arab territories occupied by Israel had worsened. As the intifadah continued in its fourth year, the Israeli authorities had further institutionalized their repressive measures and were seeking to stifle the legitimate aspirations of the Palestinians and other Arabs by increasingly resorting to force. Arrests, collective punishment, prolonged curfews, deportation and economic coercion were but a few examples of the abuses endured by Palestinians and Arabs in the occupied territories.

2. It was highly regrettable that the Israeli authorities were continuing to violate the fundamental rights of the Palestinian and Arab peoples in the occupied territories and to supplant the local population through the establishment of new settlements for Jewish immigrants. Israel's attempt to alter the demographic composition of the occupied territories constituted a clear violation of the international obligations that Israel had assumed as a State party to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War; the applicability of that Convention to the occupied territories had been repeatedly upheld by the international community. Pakistan joined the international community in calling for an end to the policy of establishing new settlements and to the resort to violence in the occupied Arab and Palestinian territories.

3. In those circumstances, one could only express the hope that the International Peace Conference on the Middle East, which had recently begun in Madrid, would succeed in bringing peace and stability to the region. However, hope alone would not suffice for the achievement of a just and comprehensive settlement of the Arab-Israeli conflict and the Palestine issue. What was required was a firm commitment on the part of Israel to negotiate a settlement on the basis of Security Council resolutions 242 (1967) and 338 (1973) and of the "land for peace" principle. The Palestinian leaders, for their part, had already taken the historic decision to work for a solution on that basis.

4. The objective of attaining peace and stability in the Middle East must not remain elusive. To make that objective a reality, however, all the parties involved must make a political commitment to achieve just and positive results. The current peace initiative provided a promising opening and the international community should encourage it and persuade the parties involved to seize that unique opportunity. A just and comprehensive settlement of the Arab-Israeli conflict and of the Palestine issue based on the withdrawal of Israel from all Arab and Palestinian territories occupied since 1967,

(Mr. Fazl-I-Mahmood, Pakistan)

including Jerusalem, and the restitution of the inalienable rights of the Palestinian people, including its right to self-determination and statehood, would form a sound basis for a durable peace in the region.

5. Mr. POSSO SERRANO (Ecuador) said that the issue under consideration was one that, despite its importance, had produced so much repetition that it was becoming routine. For years it had been constantly repeated that the rights of the Palestinian people and of the other Arabs of the occupied territories were being violated by acts of violence, the demolition of houses, the forced displacement of the population, the closing of schools and other educational institutions, discrimination in the administration of justice, the installation of new European Jewish settlers in the territories occupied by Israel, and many acts of the occupying Power which violated the Geneva Conventions, the Universal Declaration of Human Rights and the International Covenants on Human Rights, as well as a number of resolutions and declarations of the Security Council. Despite its repeated demands, the Committee always came up against the refusal of the Israeli Government to cooperate with the Special Committee, and the latter was forced to base its reports on indirect investigations.

6. Year after year, all delegations which studied the reports and participated in the discussions on the issue suggested similar ways of resolving the problem, or at least of alleviating the serious situation of the Palestinians. Ritually and unfailingly, reference was made to the International Peace Conference on the Middle East, the restoration of the territories occupied by Israel since 1967, the cessation of the establishment of new settlements of European Jews in the occupied territories, the elimination of the Israeli practice of expelling the Palestinian leaders, respect by the Israeli Government for the most elementary human rights and individual guarantees such as education, health and housing, etc. All the resolutions that had been adopted stressed the absolute obligation of Israel to put an end to its practice of repression, collective punishment and economic sanctions and called upon it to respect the freedom of movement, religion and association of the Palestinian and Arab inhabitants of the occupied territories. Just as unfailingly, the resolutions adopted on the question remained a dead letter.

7. During the current year, a new development had occurred: the International Peace Conference and the direct talks that had been initiated between Jews and Arabs on that occasion. Although the statements made by the parties concerned offered little hope, they did at least constitute a significant break in the chronic paralysis which had been preventing any development.

8. Aside from those criticisms, his delegation wished to make a few specific suggestions and indicate a practical way of solving the extremely difficult situation of the Palestinians in order to eliminate the practices of repression they were enduring so as to enable them to live and flourish in

(Mr. Posso Serrano, Ecuador)

peace in their own land and to exercise their rights and fundamental freedoms instead of depending on the good or ill will of the occupying Power. Ecuador also wished to propose specific measures to enable the refugees to cease being refugees and the territories occupied by Israel to become a land under Palestinian national jurisdiction, which was the legitimate aspiration of the Palestinians.

9. Ecuador was not in a position to act as it would have wished and, like many other third world countries, it had to confine itself to its role of spectator. In view of the absence of the necessary political will on the part of those who did have the means to bring about a true solution to the problem, third world countries could only demonstrate their deep solidarity with the Palestinian cause and continue to offer what support they could within the Committee, and confine themselves to denouncing the existence of a double standard in the work of the United Nations when it came to taking effective and concrete decisions on questions which had not held its political interest, while in other circumstances it had acted with a swiftness and an effectiveness that had surprised the international community.

10. The problem of the Palestinian refugees would be resolved when a just, stable and lasting peace was achieved in the Middle East, when all the countries of the region had learned to live in harmony and when their extremist positions were no longer encouraged by powers outside the region which were concerned only with their own interests. The International Peace Conference and the direct talks between Arabs and Jews offered a glimmer of hope, and his delegation therefore welcomed them, as it would welcome any other means or mechanism for achieving a negotiated settlement.

11. Mr. AL-SUWAIDI (United Arab Emirates), referring to the Special Committee's report, denounced the repression against the Arab population of the occupied territories: massacres, torture, expulsion, demolition of houses, closing of schools, prolonged curfews, restrictions on movement, collective punishment, arbitrary and mass detention, etc. Moreover, Israel, the occupying Power, was persisting in its policy of fait accompli and was seeking, by establishing Jewish immigrants in new settlements, to change the demographic composition and legal status of the occupied territories. Quite recently, the Israeli police had raided the offices of the Islamic Court of Jerusalem and had stolen all the awqaf archives, which dated back over 500 years, as well as historic texts on Jerusalem. Yet despite everything, the intifadah would soon enter its fifth year, thereby demonstrating the commitment of the Palestinian people to its right to freedom and to the establishment of a Palestinian State on its national territory.

12. The Special Committee's mandate was based on many international instruments, including the Charter of the United Nations, the Fourth Geneva Convention and the Universal Declaration of Human Rights. Israel, however, was constantly violating all those instruments, as well as all the relevant resolutions of the General Assembly and the Security Council and had even gone

(Mr. Al-Suwaidi, United Arab Emirates)

so far as to maintain that the Fourth Geneva Convention was not applicable to the occupied Arab territories. The international community must therefore force Israel to comply with all those instruments and with all United Nations resolutions and to withdraw from the occupied Arab territories, including Jerusalem, so as to enable the Palestinian people to exercise their inalienable right to self-determination and independence. Those were the conditions sine qua non for the establishment of a just and lasting peace in the Middle East.

13. Mr. ALSAIDI (Yemen) cited the report of the Special Committee, the report of the Israeli human rights organization Betzelem and an article by Mr. Norman Finkelstein in the August 1991 issue of the Monthly Review as evidence of the atrocities committed by Israel in the West Bank, the Gaza Strip and the Syrian Arab Golan, including the demolition of houses, arbitrary arrests, torture and prolonged curfews, in violation of the Fourth Geneva Convention of 1949 and of Security Council and General Assembly resolutions on the subject. He also denounced Israel's restriction of freedom of expression and religious freedoms, and noted that, on 18 November 1991, the Israeli police had raided the premises of the Jerusalem Islamic Court and had stolen some documents, including the awqaf archives. He called on the international community to compel Israel to return those documents and to put an end to such practices, which essentially sought to obliterate the Palestinian identity.

14. Quoting an article published in The Nation on 25 November 1991, he said that Israel continued to steal water resources, to confiscate land and to establish settlements in the occupied Arab territories. Observing that the annexation of Jerusalem and the legislative and administrative measures and provisions implemented by Israel in the Syrian Arab Golan had no legal validity he stressed that peace would not be possible until Israel complied with the relevant United Nations resolutions and the provisions of the Fourth Geneva Convention and recognized the right of the Palestinian people to self-determination under the leadership of the Palestine Liberation Organization, its sole legitimate representative. Likewise, the new international order would not be credible until Israel was treated in the same way as any country which violated the rules and principles of international law.

15. Mr. YARDEN (Israel) said that, for 23 years, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories had repeatedly stated in its reports that the Government of Israel had continued to ignore requests for cooperation addressed to it. The reason for that lack of cooperation was obvious: the reports did not portray the situation in the territories administered by Israel objectively.

16. It would be pointless to repeat all the well-known arguments which had been recorded in the relevant United Nations documents and presented to the

(Mr. Yarden, Israel)

Committee the preceding year and in all previous years. Instead of exchanging charges and counter-charges and entrenching themselves in the positions of the past, members of the Committee should look towards the future. The resolutions adopted in previous years, which had been unacceptable to his delegation, had not alleviated the suffering of the Palestinian people and other Arabs of the territories administered by Israel. If the parties remained inflexible, the situation would never change.

17. He therefore appealed to the Palestinian Arabs to renounce violence and terrorism and to use the universities in the administered territories, whose existence had been made possible by Israel, for studying rather than for agitation and violence, and asked parents and teachers to stop exposing their children to danger by sending them to throw bombs and stones at soldiers and civilians. He also called on the members of the Committee to refrain from using one-sided and inflammatory language that could serve only to widen the gap between the parties and to make a negotiated settlement more difficult to achieve.

18. The solution to the problem lay not in reports and resolutions, but in a just and lasting political settlement. The Peace Conference which had started at the end of October in Madrid gave everyone hope for the future. Israel approached those negotiations with sincere intentions and great expectations.

19. The Israeli Government believed that the achievement of peace could turn the Middle East into a centre of cultural, spiritual, scientific and technological creativity. Peace would usher in a period of great economic progress that would put an end to misery, hunger and illiteracy and would put the Middle East - the cradle of civilization - on the road to a new era of endeavour and achievement that would make it a veritable paradise.

20. Mr. KADRAT (Iraq) noted that the report which had been submitted annually for 23 years by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories showed once again that Israel persisted in trying to carry out its plan in those territories, which was to clear them of their original inhabitants by resorting to methods of repression and terrorism. The Zionist entity's stubborn refusal to withdraw from the territories it occupied and to implement United Nations resolutions constituted a major obstacle to a just and comprehensive settlement of the question of Palestine.

21. The Zionist doctrine was manifestly expansionist, as evidenced by the statements of the Zionist leaders themselves. For example, on 12 November 1991, Mr. Shamir had declared that the minimum extent of Israel's territory was bounded by the current frontiers, which included the territories occupied since 1967. He had also stated, before the European Parliament, that those who thought Israel was participating in the Peace Conference with the idea of withdrawing from the territory were deceiving themselves, because there was no occupation, as the territory was part of Israel's land. An

(Mr. Kadrat, Iraq)

Israeli opposition leader had said that two thirds of the housing which Israel would build in 1992 would be located in the West Bank, the Gaza Strip and East Jerusalem. The Israeli occupation authorities used all possible means of oppression to Judaize the occupied territories, by expelling the Palestinian inhabitants and establishing settlements. That fact was recognized by the Zionist leaders themselves, from Abba Eban, who had said that Israel was oppressing the Palestinians, to Moshe Dayan, who had acknowledged that the Zionists had come to a country inhabited by Arabs in order to build a Hebrew State by replacing Arab villages with Jewish villages.

22. Israel had flouted the many Security Council resolutions on Israeli practices against the Palestinian people, which ranged from its continual policy of occupation of the occupied territories to specific incidents, such as the 1990 Haram al-Sharif massacre. Moreover, Israel had shown that it would not change its policy. Mr. Shamir had stated recently, while Israel talked of peace, that the occupied Syrian Golan was not subject to negotiation because it was essential for Israel's security, and had therefore asked that new settlements should be established there. Even more recently, on 18 November 1991, the Israeli police had committed a barbarous act by raiding the Al-Quds Islamic Court and seizing large quantities of historic documents on that city, dating back more than 500 years.

23. In spite of everything, the international community had not taken any measures to ensure the implementation of United Nations resolutions. Even though the report of the Special Committee and other reports on the issue submitted by the United Nations and other organizations revealed the inhuman and immoral practices of the Zionist entity with respect to the Palestinian Arab people, which had lived for so long under Israeli military occupation, nothing had been done to prevent Israel from driving the Palestinian people out of the occupied territories to make it respect human rights in those territories, or to oblige it to stop killing civilians, destroying houses and forcing their inhabitants to flee, as it was doing in South Lebanon. The United Nations was therefore in danger of losing all credibility.

24. In conclusion, Iraq supported the holding of a meeting of the States parties to the Fourth Geneva Convention in order to discuss measures that could be taken under that Convention to broaden international cooperation and to extend the Convention's scope of application.

25. Mr. CHOWDHURY (Bangladesh), speaking on behalf of the sponsors of draft resolution A/SPC/46/L.23, said that the sponsors had agreed to add two new paragraphs to the draft resolution after paragraph 24. The new paragraph 25 would read:

> "25. Condemns Israel's latest attack against the Sharia Islamic Court in occupied Jerusalem on 18 November 1991, when Israeli forces took away important documents and papers;"

and the new paragraph 26 would read:

(Mr. Chowdhury, Bangladesh)

"26. Demands that Israel, the occupying Power, return immediately all documents and papers that were taken away from the Sharia Islamic Court in occupied Jerusalem, to the officials of the said Court;".

The subsequent paragraphs would be renumbered accordingly.

26. The CHAIRMAN informed the Committee that the text of those new paragraphs would appear in a revised version of the draft resolution (A/SPC/46/L.23/Rev.1).

The meeting rose at 4.20 p.m.

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

*Official Records*

SPECIAL POLITICAL COMMITTEE
29th meeting
held on
Wednesday, 27 November 1991
at 10 a.m.
New York

# SUMMARY RECORD OF THE 29th MEETING

Chairman: Mr. PIBULSONGGRAM (Thailand)

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PROGRAMME BUDGET IMPLICATIONS OF COMMITTEE RESOLUTIONS

COMPLETION OF THE COMMITTEE'S WORK

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The meeting was called to order at 10.25 a.m.

AGENDA ITEM 75: QUESTIONS RELATING TO INFORMATION (continued) (A/46/21; A/SPC/46/L.5-L.8)

1. The CHAIRMAN said that there would be no programme budget implications arising from the provisions of draft resolution A/SPC/46/L.5 on information in service of humanity. The statement of the programme budget implications of draft resolution A/SPC/46/L.6 on United Nations public information policies and activities was contained in document A/SPC/46/L.7. In view of the statement made by the representative of Costa Rica at the 9th meeting, no action was required on the draft resolution submitted by Costa Rica on questions relating to information (A/SPC/46/L.8), the text of which would be reflected in the Rapporteur's report.

2. Mr. SUHAIL (Pakistan), speaking as Acting Chairman of the Committee on Information on behalf of the officers of the Committee on Information and the spokespersons of the regional groups and China, introduced draft resolutions A/SPC/46/L.5 and L.6. He said that he earnestly hoped that they would be adopted without a vote. The two draft resolutions were contained in the report of the Committee on Information (A/46/21), which had been adopted by the Committee on Information by consensus at its thirteenth substantive session in April. The first resolution reflected the international community's aspirations for a new world information and communication order and expressed its regard for the principles of the freedom of information and expression. The second resolution encompassed the mandate provided by the Committee on Information for public information policies and activities.

3. The adoption of those resolutions by consensus in the Committee on Information had been preceded by detailed consultations and negotiations between the officers of the Committee on Information, the spokespersons of the regional groups and China. Subsequently, when the statement of programme budget implications contained in document A/SPC/46/L.7 had been submitted to the Special Political Committee, the Chairman of the Committee on Information had made a statement, on 25 October 1991, informing the Special Political Committee that the statement of programme budget implications in respect of paragraph 1 (l) and (m) of draft resolution A/SPC/46/L.6 did not correspond to the understanding reached in the Committee on Information between the officers of the Committee on Information and the spokespersons representing the regional groups and China. They had believed and expected that that understanding would be reflected in the statement of programme budget implications, and that that had been so understood by the Department of Public Information. Regrettably, that had not proved to be the case.

4. He wished to underline the importance of those understandings, which had been reached after extensive negotiations and necessary compromises. It was, indeed, possible that misunderstandings and confusions might arise from time to time. Having been conscious of such a possibility and with a view to improving and maintaining better communication and understanding, the

(Mr. Suhail, Pakistan)

Committee on Information had recommended that the officers of the Committee on Information, together with representatives of each regional group and China, in close contact with members of the Committee on Information, should meet as required and consult at periodic intervals with the Department of Public Information. In that regard, since the Committee on Information had made that recommendation, the officers of the Committee on Information and the spokespersons of the regional groups and China had held a number of valuable meetings with officials of the Department of Public Information.

5. However, despite the availability of such a mechanism, the statement of programme budget implications contained in document A/SPC/46/L.7 did not accord with the understanding reached, as pointed out by the Chairman of the Committee on Information in his statement. In spite of the Chairman's request, it had not been possible to issue a revised statement of programme budget implications by the Controller for the reasons cited in his letter dated 14 November 1991 (A/SPC/46/4).

6. The officers of the Committee on Information, the spokespersons of the regional groups and China had given considerable thought to the matter. They had reaffirmed the commitment of the Committee on Information to the substance of draft resolutions A/SPC/46/L.5 and L.6 and their determination to preserve the consensus which had been achieved following arduous efforts.

7. There seemed to be no alternative before the officers of the Committee on Information, the spokespersons of the regional groups and China but to propose that the Special Political Committee should request the Fifth Committee to reallocate elements of section 31, relating to public information, of the proposed programme budget for the biennium 1992-1993. In making that recommendation, they had sought reallocations only in areas that did not in any way affect policies or decisions adopted by the members of the Committee on Information and that were entirely compatible with the mandate contained in draft resolution A/SPC/46/L.6. The proposed reallocations to cover the cost of implementing paragraph 1 (l) and (m) of the draft resolution related to items that in their judgement would not affect the proper functioning of the Department. The recommended reallocations involved a transfer of the stated amounts from the designated section 31 budget items to meet the costs of implementing paragraph 1 (l) and (m). In addition to not involving any policy areas, practically all the recommended reallocations were sought from budget areas where the increases requested by the Department of Public Information had been greater than the amounts being proposed for reallocations.

8. The recommended reallocations were the following: (a) in paragraphs 31.35, 31.37 and 31.38, in relation to United Nations public opinion polls and surveys, $145,000 to be reallocated from the total of $161,400, with the remainder to meet contractual requirements; (b) in paragraph 31.48, in relation to external expertise for the research, writing and design of certain information materials, $50,000 to be reallocated from the estimated total requirement of $222,400; (c) in paragraph 31.53, in relation to public information production covering production of videos for

(Mr. Suhail, Pakistan)

video-kits, etc., $50,000 to be reallocated from the estimated total of $410,500; (d) in paragraph 31.66, in relation to cost of supplies such as raw film stock, etc., $40,000 to be reallocated from the estimated requirement of $941,600; (e) in paragraph 31.67, in relation to new public information equipment, $250,000 to be reallocated from the estimated cost of $1,634,900; (f) in paragraph 31.72, in relation to public information production of additional film and video prints, $50,000 to be reallocated from the estimated total of $297,100; (g) in paragraph 31.73, in relation to pouch and special courier services to disseminate information, $100,000 to be reallocated from the estimated total of $872,900; (h) in paragraph 31.112, in relation to overtime for drivers, $35,000 to be reallocated from the estimated total of $109,800; (i) in paragraph 31.116, in relation to information centre vehicles and other equipment, $30,000 to be reallocated from the total of $727,400; and (j) in paragraph 31.118, in relation to hospitality, $20,000 to be reallocated from the total of $171,600. The recommended reallocations would involve a total amount of $770,000.

9. The officers of the Committee on Information, the spokespersons of the regional groups and China recognized and accepted that the recommendation contained no precedent whatsoever. That step, however, allowed the Special Political Committee to act now on draft resolutions A/SPC/46/L.5 and L.6 and to adopt them by consensus. It asserted firmly and clearly a principle of importance: that recommendations and decisions, and the understandings on which they rested, of a committee established by the General Assembly must be respected. It could not be otherwise.

10. The officers of the Committee on Information, the spokespersons of the regional groups and China requested the Special Political Committee to endorse the proposals for financial reallocations just outlined and to include them together with the draft resolutions in its report to the General Assembly to be taken up by the Fifth Committee. In that decision, it was understood that the Controller was free to propose - where that was judged to be of particular importance - alternative reallocations, provided no implications were involved regarding any policy decisions and recommendations as contained in draft resolution A/SPC/46/L.6. He would like to request that the statement he had just made on behalf of the officers of the Committee on Information, the spokespersons of the regional groups and China should be fully reflected in the report of the Special Political Committee on the item.

11. He wished to state, in conclusion, the determination of the officers of the Committee on Information, the spokespersons of the regional groups and China to work in close harmony with the Department of Public Information in serving the interests of the Department, the United Nations and all Member States. Significant progress had been made in the work of advancing knowledge of the United Nations and its activities. That task remained, for all concerned, a continuing challenge for the future.

12. He called upon the Special Political Committee to adopt draft resolutions A/SPC/46/L.5 and L.6 without a vote.

13. Mr. BAAH (Ghana), speaking on behalf of the Group of 77, Mr. SHEVCHENKO (Ukraine), speaking on behalf of the Group of Eastern European States, Mr. CORR (Ireland), speaking on behalf of the Group of Western European and Other States, and Ms. LUO Xu (China) said that they fully endorsed the proposals put forward by the Acting Chairman of the Committee on Information in his statement. They therefore requested the Special Political Committee to adopt draft resolutions A/SPC/46/L.5 and L.6 without a vote.

14. The CHAIRMAN said that if he heard no objection, he would take it that the Special Political Committee agreed to the proposals made by the Acting Chairman of the Committee on Information concerning financial reallocations, and to the request that the proposals in question should be fully reflected in the report of the Special Political Committee on the item.

15. It was so decided.

16. The CHAIRMAN said that if he heard no objection, he would take it that the Special Political Committee wished to adopt draft resolutions A/SPC/46/L.5 and L.6 without a vote.

17. Draft resolutions A/SPC/46/L.5 and L.6 were adopted without a vote.

18. Mr. ALSAIDI (Yemen) said that his delegation had joined the consensus on the draft resolutions just adopted on the understanding that the proposals made by the Acting Chairman of the Committee on Information would expedite the implementation of the recommendation of that Committee concerning the establishment of an information centre in San'a, Yemen.

19. The CHAIRMAN drew attention to the draft decision on an increase in the membership of the Committee on Information set out in paragraph 111 of that Committee's report (A/46/21). By that decision the membership of the Committee on Information would be increased from 78 to 79 members and Burkina Faso would be appointed as a member. If he heard no objection, he would take it that the Special Political Committee wished to adopt the draft decision without a vote.

20. The draft decision in paragraph 111 of the report of the Committee on Information (A/46/21) was adopted without a vote.

21. Mr. SERME (Burkina Faso) thanked the Special Political Committee for having recommended its appointment as a member of the Committee on Information, which could count on its active participation and cooperation.

AGENDA ITEM 73: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued) (A/46/65, 282, 440-445, 521 and 522; A/SPC/46/L.23/Rev.1 and L.24-L.29)

22. Mr. FREUDENSCHUSS (Austria) said that the Special Political Committee's debate on the agenda item was still timely because events in the occupied territories would have a considerable impact on the welcome peace process that had just begun. One issue was the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (the fourth Geneva Convention). The burden of proof lay on an obligated State to show that in the actual situation a given commitment did not apply. The disclaimers by Israel had not convinced the world community, as evidenced by scores of Security Council and General Assembly resolutions. By finally admitting that the Convention did apply and by living up to its responsibilities, Israel would send a powerful message of good will and a signal of its commitment to a resolution of the problem. The establishment of Israeli settlements in the occupied territories was particularly counterproductive in the search for a fair and lasting solution. The recently revived idea of establishing an Israeli-Palestinian commission to determine the use of public lands in the occupied territories until the specifics of the proposed transition were agreed upon would be a first step advantageous to both sides.

23. Yet the fourth Geneva Convention was not the only source of Israel's legal obligations. In time of peace a nation must answer also to the more comprehensive obligations imposed by the customary law guaranteeing human rights, which prohibited murder, torture and other cruel, inhuman or degrading treatment, prolonged arbitrary detention, or a consistent pattern of gross violations of recognized human rights. Thus, the protection of Palestinians in the occupied territories was an issue of continuing relevance. One way of protecting them would be as proposed in Security Council resolution 681 (1990), paragraph 6, to convene a meeting of the parties to the fourth Geneva Convention. The Special Political Committee as well should consider ways of making its deliberations more meaningful and more relevant and finding a new approach that could serve the twin objectives of a more effective United Nations involvement and the building of confidence among the parties in conflict.

24. Mr. MARTINEZ (Cuba), referring to the sufferings of the Palestinian people and other Arabs in the occupied territories and their indomitable will to struggle for their legitimate rights, said that Cuba joined the universal call for a just solution that would guarantee the rights of all the Arab peoples in the region, and ensure both regional and world peace. Cuba stood ready to further all efforts aimed at a just and lasting solution and to help the Palestinian people occupy its rightful place as a nation among other nations. Unfortunately, the fact remained that tension and violence had increased in the occupied territories. Israel's defiant and aggressive conduct was the main obstacle, and it was therefore incumbent upon all States

(Mr. Martinez, Cuba)

to send the clear message that Israel had no option but to put an end to illegal settlements, return the occupied territories, and guarantee strict observance of the rights of the Palestinian and other Arab peoples.

25. Mr. AMIN-MANSOUR (Islamic Republic of Iran) said that the further deterioration of the human rights situation in the occupied territories was clearly the result of the persistence of the Zionists in their occupation of Palestine, their military occupation and annexation of the adjacent territories, their imposition of difficult living conditions and their repressive policies. The constant immigration of Jews to Israel, particularly from the Soviet Union, coupled with the expansionist Israeli policy of illegal settlements in the occupied territories and the acts of aggression committed by Jewish settlers against Arab civilians, were a prime cause of the rising climate of fear and tension.

26. The right to freedom of expression had been curtailed by the closure of newspapers and news agencies, and the harassment of journalists. Freedom of education had been infringed as a result of numerous and extended school closures. The prolonged imposition of curfews and other restrictions on movement had affected all aspects of living conditions in the occupied territories, including worship, health, nutrition, agricultural activities and general economic and social welfare. The high rate of arrests and detentions and the ill-treatment of detainees were yet another aspect of the destructive situation. The reports before the Committee detailed countless other examples of violations of basic human rights. Neither the intifadah nor the Persian Gulf war justified any aggression against the oppressed and innocent people of Palestine. The popular uprising of the Palestinians was a natural reaction of a nation subjected to inhuman practices, a legitimate demonstration against the occupying Power and a cry to the world for restoration of inalienable rights. Humanitarian organizations were seeking to alleviate the sufferings of the Palestinians, but it was the responsibility of the entire international community to restore their rights to self-determination and the establishment of an independent State in the entire land of Palestine.

27. Mr. JAYA (Brunei Darussalam) said that the Israeli authorities continued to use harsh methods against Palestinians and other Arabs in the occupied territories, thus violating the fourth Geneva Convention. His delegation was greatly concerned about the closure of schools and universities in the occupied territories and the repression and persecution of students and faculty members, as detailed in the report of the Special Committee (A/46/522). The persistent use of closure orders and the dramatic decline in the quality of education on offer were violations of the fundamental right to education. A failed education was a lifetime penalty for a child.

28. The Palestinians had also been denied their rights to economic freedom, public utilities and a sound infrastructure and, most important of all, they were denied the freedom to live and seek shelter in their homeland. That was in marked contrast to the Israeli policy of resettling Jewish citizens and

(Mr. Jaya, Brunei Darussalam)

immigrants in the occupied territories, including Jerusalem. In view of the international move towards a comprehensive solution of the Palestinian question, the establishment of settlements should be halted as soon as possible.

29. His delegation reiterated its call to the Israeli authorities to comply with the relevant international conventions and resolutions. It hoped that the peace conference to be convened in Washington would move towards that goal and advance the prospects for a comprehensive settlement of the Arab-Israeli conflict.

30. Mr. REDZUAN (Malaysia) deplored Israel's refusal to allow the Special Committee access to the occupied territories as a shameful attempt to cover up the truth. In fact, the long list of repressive measures used by the Israeli authorities had been well catalogued and were unacceptable by any norms of human behaviour. The conclusion of the Special Committee's report (A/46/522, para. 441) was of great concern to his delegation. Furthermore, the cperations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) were increasingly subjected to harassment and interference by the Israeli authorities, in violation of UNRWA's privileges and immunities. The United Nations should condemn Israel for its continued transgressions of international law and persistent mistreatment of the Palestinian people, since the Organization's efforts to encourage respect for human rights would otherwise become an empty claim.

31. Malaysia also viewed with great concern the continued establishment of illegal Jewish settlements in the Palestinian and Arab occupied territories, particularly in the light of the indications in the Special Committee's report that the Israeli authorities would intensify the settlements policy. Not only were the new settlers participating in acts of violence and aggression against the civilian Palestinian population, even the few resources that the Palestinians had left, such as water, were now being diverted to the new settlements. Peace and the usurpation of other people's land were incompatible. Israel's policy and practices were particularly sad in the light of Jewish history and were having an adverse effect on its own youth and society.

32. Despite the brutal measures unleashed on them by the Israelis, the Palestinians continued, quite legitimately, to struggle for their right to a homeland. Since the beginning of the uprising, thousands of Palestinians had been killed, injured and detained. Given the vulnerability of the Palestinians, Malaysia urged the Security Council to implement its resolutions 673 (1990) and 681 (1990) in order to ensure the protection of Palestinian civilians.

33. Mr. AL-ZAYANI (Bahrain) said that the Special Committee report (A/46/522) provided important information regarding the deteriorating situation in the occupied Arab territories as far as human rights and fundamental freedoms were concerned. Israel's policy of annexation and widespread settlement and its repressive measures against Arab civilians had created appalling violence and tension. In addition, Israel had attempted to alter the national and demographic features of the occupied territories and to exploit their natural resources in violation of international conventions and relevant United Nations resolutions, which had deemed such policies to be a serious and illegal impediment to a just and comprehensive solution to the Middle East problem. The Special Committee's report contained numerous examples clearly illustrating Israel's expansionist settlement policy.

34. Furthermore, the Israeli Knesset had recently declared that the Syrian Arab Golan was non-negotiable, a move which constituted an illegitimate attempt to hinder the peace process begun in Madrid. It was also a flagrant violation of United Nations resolutions which was intended to provoke the Arab participants in the peace conference. Israel continued to challenge and ignore such resolutions, as in the case of the Golan, for instance, where Security Council resolution 497 (1981) had declared Israeli-imposed laws, administration and control to be legally ineffective.

35. The Special Committee's report told of the countless repressive practices randomly carried out by Israel against Arab citizens of all ages in the occupied Arab territories. Moreover, Arabs did not have access to legal justice and received harsh sentencing in comparison with Israeli settlers charged with committing crimes against Arab civilians. They also suffered material hardship owing to the deteriorating economic, social and health conditions in the occupied territories, and were psychologically harassed and humiliated in their daily lives. The Palestinian people would continue to suffer as long as occupation and settlement continued, while human rights and fundamental freedoms were absent from the territories in question, the occupation of which was in itself a violation of such rights.

36. Mr. SHEVCHENKO (Ukraine) said that the ever-increasing length of the Special Committee's report was a tragic reflection of the human suffering in the occupied territories. The current report (A/46/522) indicated the recent deterioration in the situation, including the continued use of collective punishment. There were increasing restrictions on freedom of speech, movement and religion, particularly since the Gulf war. Education also continued to be under attack.

37. The Israeli authorities had stepped up their policy of annexation and settlement in the occupied territories. A significant proportion of the immigrants arriving in the occupied territories were from Ukraine. Their presence raised tension between them and their Jewish and Arab neighbours, and the immigrants often found it difficult to adapt to new conditions. His delegation did not appreciate the use being made for propaganda purposes of the spectre of "Ukrainian anti-Semitism". Just a few months previously,

(Mr. Shevchenko, Ukraine)

Ukraine had commemorated the fiftieth anniversary of the tragic events at Babi Yar in Kiev, and the Ukrainian legislature and Ukrainian leaders had roundly condemned anti-Semitism. Ukraine had managed to maintain the peace among the various peoples in its territories. At the same time, there was an armed struggle under way between Arabs and Jews in the occupied territories.

38. Nevertheless, the Madrid conference on the Middle East and forthcoming bilateral talks in the United States gave grounds for optimism. The statement by the Prime Minister of Israel that the occupied territories might be the subject of negotiations was also encouraging.

39. As a member of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Ukraine wished to draw particular attention to the conclusions of the report of that body (A/46/35).

40. The heavy concentration of arms in the Middle East made it a particularly volatile region, and a positive and rapid resolution of the issue was therefore indispensable. A unique window of opportunity had opened and it would be unforgivable to let it pass.

41. Mr. PODTSEROB (Union of Soviet Socialist Republics) said that his delegation's position on the issue before the Committee was well known and remained unchanged. At the same time, it believed that real prospects now existed for a fair and comprehensive settlement in the Middle East and that the chance to achieve it should not be lost. The best possibility of success lay in the adoption by all parties to the negotiating process of an attitude of flexibility and willingness to deal with each other. His delegation hoped that eventually that confidence-building approach would triumph and that the Special Committee would be able to report to the General Assembly that its mandate had been carried out fully.

42. The Soviet Union, which had co-chaired the conference in Madrid, believed that it was inappropriate at the current juncture for the United Nations to adopt resolutions dealing directly with the substance of the issues under discussion there. Its role at present was to encourage the negotiations and to help create the conditions which would make progress possible. For those reasons, his delegation would abstain in the votes on the draft resolutions. At the same time, it agreed that the Special Committee should continue its work on the question.

43. It had often been noted that the Arab-Israeli conflict had gone on for decades. It should also be pointed out, however, that the two peoples had lived together in peace for centuries. His delegation hoped that the time was not far off when Jews and Arabs would not only live together again in peace but would live together as good neighbours and collaborators, making their contributions to world civilization.

44. Mr. CHOWDHURY (Bangladesh), introducing draft resolutions A/SPC/46/L.23/Rev.1, L.27, L.28 and L.29 on behalf of their sponsors, said that the question of Palestine was one of the greatest tragedies of modern times and Bangladesh's position on it was consistent and categorical. Its support for the Palestinian cause was unwavering.

45. The report of the Special Committee and the statement by its Chairman had painted a grim picture of the human rights situation of the Palestinians in the occupied territories. Israeli authorities continued to violate the fundamental human rights of the Palestinian and Arab people and to pursue a policy of establishing new settlements. Those policies were clear violations of the fourth Geneva Convention and various Security Council resolutions.

46. His delegation hoped the Madrid conference would lead to a just and lasting solution of the problem and that the peace process would take into account the legitimate aspirations of the Palestinian people. A comprehensive, just and durable solution to the conflict could not be achieved unless Israel withdrew from Palestine, including Jerusalem and Arab territories occupied since 1967.

47. The draft resolutions under discussion recalled the elements of the similar resolutions adopted in 1990 and also reflected some of the key developments that had taken place subsequently. Since the resolutions did not differ greatly from those adopted at the previous session of the General Assembly, the sponsors hoped that they would be adopted with broad support.

48. Mr. FAZI-I-MAHMOOD (Pakistan) introduced draft resolutions A/SPC/46/L.24, L.25 and L.26 and expressed the hope that they would receive the widest possible support.

49. Mr. POPESCU (Romania), speaking in explanation of vote before the vote, expressed his delegation's concern for the Palestinians and other Arabs in the occupied territories and its full support for any constructive way of ending of the situation now prevailing in the area. The convening of the Peace Conference in Madrid had given an impetus for such action. For the first time, Israelis and Arabs had come together at the same table in an attempt to bridge their differences without making inflammatory statements. All those involved were to be commended for their new realistic approach; his delegation hoped that through flexibility and compromise a lasting peace would eventually be achieved in the Middle East. Romania had also hoped that the confidence-building climate would prevail in reformulating the resolution adopted at the General Assembly's forty-fifth session, which was now before the Committee as draft resolution A/SPC/46/L.23/Rev.1. Unfortunately, there had been no change in its language or in that of the other draft resolutions. That was no way to encourage and support a genuine dialogue at the negotiating table, and Romania would therefore vote against draft resolution A/SPC/46/L.23/Rev.1. In view of the humanitarian aspects of the other draft resolutions, his delegation would vote in favour of them, on the clear understanding that the language again lacked the necessary reflection of the new situation created in the area.

50. Mrs. TAHIR-KHELI (United States of America) said that the United States had a strong interest in the human rights situation in the occupied territories and maintained a constant dialogue with the Government of Israel on the subject. Where it disagreed with Israeli policies it made its views known to the Government of Israel and would continue to do so.

51. Her delegation would not support resolutions which made no practical contribution to safeguarding the human rights of the Palestinians in the occupied territories or to the search for a just and lasting peace in the region. The one-sided and inflammatory language of the draft resolutions before the Committee served only to divide the parties further and make a negotiated settlement more difficult to achieve. Her delegation called again upon the members of the Committee to desist from outmoded rhetoric and adopt the more constructive approach which would be particularly needed in the period ahead.

52. Her delegation objected strongly to draft resolution A/SPC/46/L.23/Rev.1, which contained a sweeping condemnation of a long list of unsubstantiated Israeli practices. Nor could it support language urging the Security Council to consider measures to secure "international protection" for the Palestinian inhabitants of the occupied Territories, which was impractical and did not address the underlying problems.

53. Her delegation supported the applicability of the fourth Geneva Convention to the territories occupied by Israel since 1967. It therefore requested a separate vote on paragraph 1 of draft resolution A/SPC/46/L.24, which it supported. It would abstain in the vote on the draft resolution as a whole because the resolution's strident rhetoric did nothing to resolve the problems it sought to address.

54. Further Israeli settlement activity in the occupied territories was an obstacle to peace. However, the United States would abstain in the vote on draft resolution A/SPC/46/L.25, as it was unproductive to debate over the legalities of the issue and thus divert attention from the real task of promoting peace through direct negotiations.

55. The United States could not support draft resolution A/SPC/46/L.26 because that text did not address legitimate security problems as they existed in the occupied territories. The United States remained opposed to the practice of administrative detention.

56. Her delegation had stated repeatedly that Israel's deportation of Palestinian residents in the occupied territories was inconsistent with the provisions of the fourth Geneva Convention. It was nevertheless obligated to abstain in the vote on draft resolution A/SPC/46/L.27 because the resolution's harsh polemical tone offered no realistic solution.

(Mrs. Tahir-Kheli, United States)

57. Her delegation's position remained that the Golan was occupied Syrian territory and that the provisions of the fourth Geneva Convention therefore applied in it. The United States opposed any unilateral action to alter the status of the territories occupied by Israel in 1967 because that was an issue which must be resolved through negotiations in accordance with Security Council resolutions 242 (1967) and 338 (1973). In the case of draft resolution A/SPC/46/L.28, again, its harsh and unbalanced rhetoric mandated the abstention of the United States.

58. In spite of strong concerns over the current situation with respect to education in the occupied territories, her delegation objected to draft resolution A/SPC/46/L.29 because sweeping condemnation of Israeli policies and practices was unjustified and counterproductive.

59. Lastly, the United States objected to references to Jerusalem in phrases such as "occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,". Those phrases described the territories demographically, were limited to territories occupied in 1967, and should not prejudge their status, which could only be resolved through negotiations. The United States was convinced that Jerusalem must remain undivided, but that its final status should be decided through negotiations.

60. A separate recorded vote was taken on paragraph 6 of draft resolution A/SPC/46/L.23/Rev.1.

In favour: Algeria, Angola, Bahrain, Bangladesh, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, China, Cuba, Djibouti, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Myanmar, Namibia, Nepal, Niger, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sri Lanka, Swaziland, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zimbabwe.

Against: Australia, Austria, Bahamas, Belgium, Bolivia, Bulgaria, Canada, Colombia, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Albania, Argentina, Barbados, Brazil, Cameroon, Central African Republic, Chile, Cyprus, Dominica, Ecuador, Egypt, Ethiopia, Fiji, Guatemala, Jamaica, Mongolia, Mozambique, Nicaragua, Nigeria, Paraguay, Peru, Philippines, Republic of Korea, Samoa, Singapore, Spain, Suriname, Thailand, Togo, Turkey, Union of Soviet Socialist Republics, Venezuela.

61. Paragraph 6 of draft resolution A/SPC/46/L.23/Rev.1 was adopted by 53 votes to 35, with 32 abstentions.

62. A recorded vote was taken on draft resolution A/SPC/46/L.23/Rev.1 as a whole.

In favour: Algeria, Angola, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Chile, China, Colombia, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Singapore, Sri Lanka, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe.

Against: Israel, Romania, United States of America, Uruguay.

Abstaining: Albania, Argentina, Australia, Austria, Barbados, Belgium, Bolivia, Bulgaria, Cameroon, Canada, Central African Republic, Czechoslovakia, Denmark, Dominica, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Samoa, Spain*, Sweden, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland.

63. Draft resolution A/SPC/46/L.23/Rev.1 as a whole was adopted by 75 votes to 4, with 43 abstentions.

64. Mr. URTASUN (Spain) said that his delegation had mistakenly abstained in the vote on paragraph 6 of draft resolution A/SPC/46/L.23/Rev.1, but had intended to vote against it.

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* See para. 64 below.

65. A separate recorded vote was taken on paragraph 1 of draft resolution A/SPC/46/L.24.

In favour: Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe.

Against: Israel.

Abstaining: None.

66. Paragraph 1 of draft resolution A/SPC/46/L.24 was adopted by 120 votes to 1.

67. A recorded vote was taken on draft resolution A/SPC/46/L.24 as a whole.

In favour: Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi,

Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe.

Against: Israel.

Abstaining: Dominica, Union of Soviet Socialist Republics, United States of America.

68. Draft resolution A/SPC/46/L.24 as a whole was adopted by 118 votes to 1, with 3 abstentions.

69. A recorded vote was taken on draft resolution A/SPC/46/L.25.

In favour: Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe.

Against: Israel.

Abstaining: Dominica, Union of Soviet Socialist Republics, United States of America.

70. Draft resolution A/SPC/46/L.25 was adopted by 118 votes to 1, with 3 abstentions.

71. A recorded vote was taken on draft resolution A/SPC/46/L.26.

In favour: Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Dominica, Union of Soviet Socialist Republics.

72. Draft resolution A/SPC/46/L.26 was adopted by 116 votes to 2, with 2 abstentions.

73. A recorded vote was taken on draft resolution A/SPC/46/L.27.

In favour: Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao

People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe.

Against: Israel.

Abstaining: Dominica, Union of Soviet Socialist Republics, United States of America.

74. Draft resolution A/SPC/46/L.27 was adopted by 118 votes to 1, with 3 abstentions.

75. A recorded vote was taken on draft resolution A/SPC/46/L.29.

In favour: Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe.

Against: Israel.

Abstaining: Dominica, Union of Soviet Socialist Republics, United States of America.

76. Draft resolution A/SPC/46/L.28 was adopted by 116 votes to 1, with 3 abstentions.

77. A recorded vote was taken on draft resolution A/SPC/46/L.29.

In favour: Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Central African Republic, Chile, China, Colombia, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Samoa, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Canada, Dominica, Union of Soviet Socialist Republics.

78. Draft resolution A/SPC/46/L.29 was adopted by 117 votes to 2, with 3 abstentions.

79. The CHAIRMAN invited those delegations wishing to speak in explanation of vote after the vote to do so.

80. Mr. FREUDENSCHUSS (Austria) said that his delegation had voted in favour of all but one of the draft resolutions just adopted, in line with Austria's rejection of Israeli practices in the occupied territories. It had abstained in the vote on draft resolution A/SPC/46/L.23/Rev.1 as a whole, however, because of unacceptable formulations such as the legal qualification of certain acts in paragraph 6, which could only be made by a competent judicial authority.

81. Mr. von BARTHELD (Netherlands), speaking on behalf of the 12 States members of the European Community, said that they had voted in favour of all but one of the draft resolutions just adopted, because of the importance they attached to matters affecting the rights of the population of the occupied Arab territories, and guided by their respect for international law, notably the principles of the inadmissibility of the acquisition and occupation of territory by force and the need to comply fully with the fourth Geneva Convention. The Twelve had, however, abstained in the vote on draft resolution A/SPC/46/L.23/Rev.1 because of the wording of some of its paragraphs that was contrary to the prevailing positive atmosphere of dialogue between the parties in the conflict.

82. They also recalled that they had not supported all the resolutions referred to in paragraph 1 of draft resolution A/SPC/46/L.27, or in some of the other draft resolutions.

83. Mr. WIDE (Sweden) said that his delegation had voted in favour of six of the seven draft resolutions concerning Israeli practices but had unfortunately had to abstain on draft resolution A/SPC/46/L.23/Rev.1 as a whole and to vote against paragraph 6 of that draft resolution. While endorsing the substance of the draft resolution, and being gravely concerned about many of the policies and practices described in paragraphs 8 and 9, Sweden was not convinced that all the assertions in those paragraphs were justified by proven facts. It also felt that paragraphs 12 and 13 went beyond the competence of the General Assembly.

84. In addition, his delegation pointed out that its support for draft resolution A/SPC/46/L.28 in no way altered Sweden's opposition to resolution ES-9/1, which was recalled in the preamble and against which Sweden had voted in 1982.

85. Ms. PIATELLI (Canada) said that her delegation had voted in favour of draft resolution A/SPC/46/L.28, while not concurring with the statement in the seventh preambular paragraph that all territories occupied by Israel must be returned. That issue, which could only be solved by negotiation between the parties concerned, under the terms of Security Council resolutions 242 (1967) and 338 (1973), should not be prejudged.

86. Canada had abstained on draft resolution A/SPC/46/L.29 despite its concern over Israeli practices, because paragraph 3 did not reflect the welcome steps taken by Israel to reopen a number of educational institutions.

87. Ms. BIRD (Australia) said that her delegation had voted in favour of all except draft resolution A/SPC/46/L.23/Rev.1. However, had there been separate votes on paragraph 1 of draft resolutions A/SPC/46/L.27 and L.28, Australia would have abstained, since they referred to certain General Assembly resolutions which it had not supported.

(Ms. Bird, Australia)

88. It was Australia's understanding that the references to the occupied territories in the texts just adopted were references only to the territories occupied by Israel since 1967. That position applied also to any such references in resolutions considered under other agenda items.

89. Australia hoped that the following year the Committee could minimize duplication and repetition in the resolutions adopted under the item under discussion and ensure that the texts fully reflected current circumstances.

90. Mr. AMIN-MANSOUR (Islamic Republic of Iran) said that his delegation had voted in favour of all the draft resolutions, despite certain reservations. Iran could not accept any term that conveyed implicit or explicit recognition of the Israeli regime.

91. Mr. ALVAREZ (Uruguay) said that his delegation had voted against draft resolution A/SPC/46/L.23/Rev.1 because it did not approve of the language used, which was not conducive to a peaceful settlement of the Middle East question. Its negative vote, however, should not be interpreted as a change in Uruguay's unwavering support for the fourth Geneva Convention, which was fully applicable to the occupied territories.

92. Uruguay had voted in favour of draft resolutions A/SPC/46/L.24, L.25, L.27, L.28 and L.29 because it supported their objectives. There, too, however, it had strong reservations about the wording, which was not likely to further a solution and which reflected circumstances that had been overtaken by events.

93. Ms. HAUG (Norway) said that her delegation had voted in favour of most of the draft resolutions just adopted, despite its reservations to some of the formulations used, especially in draft resolutions A/SPC/46/L.26, L.27, L.28 and L.29.

94. Mr. MANSOUR (Observer for Palestine) thanked all countries that had voted in favour of the draft resolutions just adopted. The Palestinian people and the Palestine Liberation Organization considered that such overwhelming support reflected the enormous support for their just struggle to end the Israeli occupation and regain their national rights.

95. What most divided the parties to the conflict was not the wording of the draft resolutions but the actual Israeli policies and practices that led the Committee to adopt such resolutions. The resolutions would change when the reality on the ground changed. Israel, which was so sensitive to the language of resolutions, should be more sensitive to the daily sufferings of the Palestinian people under its brutal occupation. He called upon Israel to stop its violence and State terrorism against them.

PROGRAMME BUDGET IMPLICATIONS OF COMMITTEE RESOLUTIONS

96. The CHAIRMAN informed members that the usual Secretariat summary of the programme budget implications of draft resolutions adopted by the Committee, pursuant to rule 154 of the rules of procedure, would not be issued since the Committee had already received the two applicable statements of programme budget implications: one contained in document A/SPC/46/L.7 in connection with draft resolution A/SPC/46/L.6 under agenda item 75; and the other in document A/SPC/46/L.10 and Add.1 in connection with draft resolution A/SPC/46/L.9 under agenda item 74.

97. He also recalled that he had transmitted information provided by the Programme Planning and Budget Division, in connection with draft resolutions under items 71 and 72, to the Committee at the 20th and 25th meetings.

COMPLETION OF THE COMMITTEE'S WORK

98. After an exchange of courtesies, the CHAIRMAN declared that the Committee had completed its work for the forty-sixth session.

The meeting rose at 1.05 p.m.